## Practitioner's Docket No. NAI1P466/01.042.01

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Muttik et al.

Application No.: 09/911,765

Group No.: 2132

Filed: 07/25/2001

Examiner: Derwich, K.

For: ON ACCESS MALWARE SCANNING

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION (37 C.F.R. § 1.321(c))

## Identification of Person(s) Making This Disclaimer

I, Kevin J. Zilka, represent that I am the attorney of record.

### EXTENT OF DISCLAIMANT'S INTEREST

The extent of the interest in this invention that the disclaimant owns is in the whole of this invention.

#### DISCLAIMER

(Provisional Obviousness-Type Double Patenting Rejection Over A Pending Application)

# CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

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Tenninal Disclaimer to Obviate a Double Patenting Rejection-page 1 of 2

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In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. Sections 154 to 156 and 173 of any patent granted on the application forming the basis of the double patenting rejection, namely, any patent granted on Application No. 09/881,058, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. Section 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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Signature of Practitioner

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